

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 31, 2020

BY ECF and Facsimile

The Honorable John G. Koeltl
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007
Facsimile: 212-805-7912

Re: *United States v. Michael Jones, 19 Cr. 662 (JGK)*

Dear Judge Koeltl:

The Government respectfully submits this letter to request it have until before midnight today, January 31, 2020, to file its sentencing submission in the above-referenced case. In response to a request by the defendant for an extension to file his own sentencing memorandum, the Court issued an order (enclosed as Exhibit A) on January 27, 2020, adjusting the deadlines for the parties' sentencing submissions and stating the defendant's sentencing submission would be due January 29, 2020, and the Government's submission would be due January 31, 2020.

Consistent with the Court's requirement that sentencing submissions "must be filed on ECF," Individual Rules of Judge John G. Koeltl § 1.F (Mar. 2018), and the Electronic Case Filing Rules & Instructions for the United States District Court for the Southern District of New York's directive that a "[f]iling must be completed before midnight local time where the Court is located in order to be considered timely filed that day," SDNY Electronic Case filing Rules & Instructions, § 19.4 (Feb. 2019), the Government interpreted the Court's January 27 order to require the Government to submit its sentencing submission today, January 31, 2020, before midnight.

*The Government should submit its
sentencing submission by 2/1/20 before
noon. The sentencing submission should be placed
on ECF and faxed to Chambers: 212-805-7912.
(The Court understands that there has been
some disruption in the ECF system).*

*so ordered.
Jr 6 Koeltl
1/31/20 U.S.D.J.*

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Earlier today, at approximately 4:15 p.m., through the Court's deputy, the Government was informed the Court requests the Government submit its sentencing submission by 6:00 p.m. today. The Government is now endeavoring to meet that 6:00 p.m. deadline but writes to request, in light of its prior understanding that its submission was due before midnight today and the supervisory approval required before the Government files a sentencing submission, that it have until before midnight today to file such a submission.¹

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

by: /s/
Daniel H. Wolf / Matthew J.C. Hellman
Assistant United States Attorneys
(212) 637-2337 / 2278

¹ If the Court so requests, the Government will arrange for a hard copy of the Government's sentencing submission to be delivered to a location amenable to the Court.